

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

DANIEL ERIC COBBLE,

Plaintiff

VS.

SHEVONDAH FIELDS,

Defendants

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CIVIL NO. 5:12-CV-464-MTT-MSH

ORDER

Plaintiff **DANIEL ERIC COBBLE**, a prisoner at Baldwin State Prison in Hardwick, Georgia, filed a *pro se* civil rights complaint under 42 U.S.C. ' 1983. After conducting a preliminary view of his Complaint, this Court found that Plaintiff could not proceed *in forma pauperis* in the instant case, as three or more of Plaintiff's prior cases were dismissed and count as "strikes" under 28 U.S.C. §1915(g). Plaintiff's Complaint was then dismissed without prejudice. *See Dupree v. Palmer*, 284 F.3d 1234 (11th Cir. 2002). The final judgment was entered on December 6, 2012.

Plaintiff has since filed a lengthy amended complaint in this case. While it is true that Federal Rule of Civil Procedure 15(a)(1) provides that a party may amend his pleading once as a matter of course, "Rule 15 has no application . . . once the district court has dismissed the complaint and entered final judgment for the defendant." *Lee v. Alachua County, FL*, 461 F. App'x 859, 860 (11th Cir. 2012) (quoting *Jacobs v. Tempur-Pedic Int'l, Inc.*, 626 F.3d 1327, 1344-45 (11th Cir. 2010); *see also Palmer v. Champion Mortg.*, 465 F.3d 24, 30 (1st Cir. 2006) (post-judgment requests for leave to amend a

pleading, “whatever their merit, cannot be allowed . . .”). “[T]o hold otherwise would enable the liberal amendment policy of Rule 15(a) to be employed in a way that is contrary to the philosophy favoring finality of judgments and the expeditious termination of litigation.” *Williams v. Citigroup Inc.*, 659 F.3d 208, 213 (2d Cir. 2011).

Plaintiff’s Amended Complaint (ECF No. 12) is accordingly **DISMISSED**.

SO ORDERED, this 14th day of December, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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